

**REMARKS**

Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

**A. Status of the Claims And Explanation Of Amendments**

Claims 17-19, 21, 23, 25, 29-31, 33, 35, 38 and 55 were pending. By this paper, claims 17, 29 and 55 have been amended to clarify certain aspects of the claimed embodiment of Applicants' invention; namely that there are two selections being made in the condition display means (*i.e.*, (1) a collecting and summing up method, and (2) a search condition). The search condition is used by the search means to search the database records and to identify those that are of interest. Then, the identified records are displayed by the display control means according to the selected collecting and summing up method. Support for these amendments is found throughout the application, including, for example, on pages 104-107 and shown in Figs. 79-84. No new matter will be added to this application by entry of these amendments.

Claims 17-19, 21, 23, 25, 29-31, 33, 35, 38 and 55 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,341,268 to Jay S. Walker et al. ("Walker"). As explained below, this rejection is respectfully traversed as Walker does not teach, disclose or suggest all of the recited claim elements. *See* MPEP §2131 at 2100-70.

**B. Claims 17-19, 21, 23, 25, 29-31, 33, 35, 38 and 55  
Are Patentably Distinct From Walker**

Applicants' claim 17 recites:

17. An information providing system, comprising:  
a database for storing sales record information;  
condition displaying means for displaying on a display screen in a selection area a plurality of collecting and summing up

methods of a plurality of procurement histories and in a condition area on the display screen input fields to input a search condition, and receiving a selection from said collecting and summing up methods and a search condition input in said input field;

selection display means for displaying the selected collecting and summing up method so as to be able to discriminate from the other collecting and summing up methods;

search means for searching said database for sales record information and returning relevant sales record information on a basis of the input search condition; and

display control means for displaying the returned sales record information on a basis of the selected collecting and summing up method.

As discussed below, Walker fails to show all of the elements of Applicants' claim

17.

Walker is directed an entirely different system, and describes a revenue management system for restaurants that enables menu prices to be dynamically set. Walker's system relies on three databases: (1) a price management table database [500], (2) a frequent customer database [600], and (3) a menu database [700]. (Col. 5, Ins. 55-61). From the office action, we understand that the searching of the price management table database is relied upon in making the pending rejection, but not the other two databases.

When a customer arrives at the restaurant, a menu is generated for that customer with prices that reflect the current conditions. (Col. 3, Ins. 20-31). Initially, the price for a given item (e.g., swordfish) is set to a suggested price. (Col. 6, Ins. 38-40). Then, the Walker system looks, for example, at the amount of recent sales for that item, and may increase the price if the item is in high demand. (Col. 6, Ins. 40-43).

Accordingly, at best, the Walker reference discloses that a search is made of the price management table data to arrive at prices for particular items for a particular customer. (Col. 6, Ins. 35-64). The information is displayed in a static format – each customer gets the same menu (except

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that prices may vary). There is no disclosure of "a collecting and summing up method" or of displaying the returned pricing information "on a basis of the selected collecting and summing up method" as recited in Applicants' claim 17. For at least these reasons, we think that claim 17, and its dependent claims 18-19, 21, 23 and 26 are patentably distinguished from the cited Walker reference. Likewise, independent claims 29 and 55, and their dependent claims 30-33 and 38 also are patentably distinct from the cited Walker reference for at least similar reasons.

Reconsideration is requested.

### CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-4682.

Respectfully submitted,  
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